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DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

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Rec'd September 23, 1947
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FROM: Rome

TO : Secretary of State

NO : 2883, September 22, Midnight

Commercial treaty No. 3.

In discussing Article One of draft treaty September 18 Lombardo and Simonis referred to minutes of preliminary discussion on June 19 at Washington and to statement of Department spokesman that, while subject of recognition of professional degrees would be difficult to deal with in commercial treaty, problem might be dealt with in separate agreement. They stated that Italian Government now proposes that the two governments undertake negotiations of such separate agreement, and that following be added to Article One of commercial treaty:

"The high contracting parties will determine by a later agreement the conditions and limitations for the recognition in each of the two countries of degrees, diplomas and scholastic records issued in the other country, in order both to permit the practice of professions and the continuation of studies."

The Embassy representatives pointed out that United States would encounter terrific difficulties in entering into such an agreement, since the regulation of issuance of degrees and practice of professions are State functions, and that an attempt to deal with these matters by treaty would probably raise political and constitutional questions. They stated that they considered it undesirable to incorporate in treaty under discussion any definite commitment to negotiate such an agreement.

Lombardo

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Lombardo seemed somewhat embarrassed by Embassy's negative reaction and in view of statement made at Washington Embassy's representatives did not feel that Italians should be completely discouraged. Italians have in mind agreement similar to the Italo-British agreement with regard to medical practitioners signed May 21, 1925 probably broadened to include other professions.

Instructions requested as to attitude that should be adopted. If Department wishes to explore possibility of developing conventional rules in this subject matter, present real interest and initiative on part of Italians should afford good opportunity and agreement for thorough study of matter could be incorporated in exchange of notes or even in treaty. Lombardo indicated that he would like a definite expression of real views of Department and not merely an expression of willingness to consider any proposals which Italians might make.

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